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JUN 28 2005

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUN - 8 2005

FILED  
CLERK'S OFFICE

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
DEPUTY

DOCKET NO. 1407

A CERTIFIED TRUE COPY

JUN 24 2005

ATTEST  
FOR THE JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL REMAND ORDER**

The transferee court in this litigation has advised the Panel that coordinated or consolidated pretrial proceedings in the actions listed on the attached schedule assigned to it have been completed and that remand of the actions to the transferor courts, as provided in 28 U.S.C. §1407(a), is appropriate.

IT IS THEREFORE ORDERED that the actions listed on the attached schedule be remanded to their respective transferor courts.

IT IS ALSO ORDERED that pursuant to Rule 7.6 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 436-38 (2001), the transmittal of this order to the transferee clerk for filing shall be stayed fifteen days from the date of this order and if any party files a Notice of Opposition with the Clerk of the Panel within this fifteen-day period, the stay will be continued until further order of the Panel. This order does not become effective until it is filed in the office of the Clerk for the United States District Court for the Western District of Washington.

IT IS FURTHER ORDERED that, pursuant to Rule 7.6(g), R.P.J.P.M.L., and coinciding with the effective date of this order, the parties shall furnish the Clerk for the Western District of Washington with a stipulation or designation of the contents of the record to be remanded and furnish said Clerk all necessary copies of any pleadings or other matter filed so as to enable said Clerk to comply with the order of remand.

FOR THE PANEL:

Michael J. Beck

Michael J. Beck  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

JUN 24 2005

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

**SCHEDULE FOR CONDITIONAL REMAND ORDER**  
**DOCKET NO. 1407**  
**IN RE PHENYLPROPANOLAMINE (PPA) PRODUCTS LIABILITY LITIGATION**

<u>-- TRANSFEREE --</u>			<u>-- TRANSFEROR --</u>			<u>CASE CAPTION</u>
<u>DIST.</u>	<u>DIV.</u>	<u>C.A.#.</u>	<u>DIST.</u>	<u>DIV.</u>	<u>C.A.#.</u>	
WAW	2	03-1341	ALM	3	03-194	<i>Curtis Fred Galliher, et al. v. Bayer Corp.</i>
WAW	2	04-246	ALN	2	03-2	<i>Gordon Neely, etc. v. Family Dollar Stores of Alabama, Inc., et al.</i>
WAW	2	02-1855	ALN	5	02-1026	<i>Christine Brandt, etc. v. Wyeth, et al.</i>
WAW	2	02-1014	CAE	2	01-2046	<i>Cara S. Reece v. Perrigo Co., et al.</i>
WAW	2	02-1514	CAN	3	02-1259	<i>Julie Timmons v. Perrigo Co.</i>
WAW	2	03-2467	DC	1	03-765	<i>Daniel Jay Banes v. Wyeth, et al.</i>
WAW	2	02-2370	LAE	2	02-1742	<i>John C. Delahoussye v. Bayer Corp., et al.</i>
WAW	2	03-2064	MOW	4	02-732	<i>Ricardo Rainey v. Bayer Corp., et al.</i>
WAW	2	03-2849	MSN	1	03-241	<i>Clarence Brooks v. Bayer Consumer Care, et al.</i>
WAW	2	03-1134	TXW	5	03-149	<i>Frank Flores, et al. v. Novartis Pharmaceuticals Corp., et al.</i>
WAW	2	03-1374 *	ALN	2	02-2508	<i>Emmitt Livingston, et al. v. Bayer Corp., et al.</i>
WAW	2	03-1403 *	ALM	2	01-1280	<i>Gertrude Gamble v. Bayer Corporation</i>
WAW	2	03-1519 *	TXN	3	02-2359	<i>R.D. Eslin, et al. v. Wyeth, et al.</i>
WAW	2	03-2100 *	MSS	2	01-212	<i>Rosa M. Richter, et al. v. Bayer Corp., et al.</i>
WAW	2	03-2142 *	LAE	2	02-482	<i>Joseph Marion, et al. v. Bayer Corp., et al.</i>
WAW	2	03-3387 *	MSS	2	03-73	<i>Tawnyrna Addison v. Novartis Pharmaceuticals Corp., et al.</i>
WAW	2	03-3412 *	MSS	2	03-73	<i>Phyllis Freeman v. Novartis Pharmaceuticals Corp., et al.</i>
WAW	2	03-3416 *	MSS	2	03-73	<i>Linda Deloris Bardwell v. Novartis Pharmaceuticals Corp., et al.</i>

\* WAW case number assigned after severance order was issued in W.D. Washington

**UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**

Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**

Judge John F. Keenan  
United States District Court  
Southern District of New York

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

**DIRECT REPLY TO:**

Michael J. Beck  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

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<http://www.jpml.uscourts.gov>

June 24, 2005

Bruce Rifkin, Clerk  
U.S. Courthouse  
700 Stewart Street  
Seattle, WA 98101



JUN 28 2005

Re: MDL-1407 -- In re Phenylpropanolamine (PPA) Products Liability Litigation

(See Attached CRO and Schedule of Actions)

AT SEATTLE  
CLERK U.S. DISTRICT COURT  
BY WESTERN DISTRICT OF WASHINGTON  
DEPUTY

Dear Mr. Rifkin:

I am enclosing a certified copy and one additional copy of a conditional remand order filed by the Panel in the above-captioned matter on June 8, 2005. The order was entered pursuant to 28 U.S.C. § 1407(a) which provides that "[E]ach action so transferred by the Panel shall be remanded by the Panel at or before the conclusion of such pretrial proceedings to the district from which it was transferred...."

Please note that transmittal of the order was stayed fifteen (15) days to give any party an opportunity to oppose the remand. The fifteen-day period has now elapsed, no opposition has been received, and the order is directed to you for filing.

Pursuant to Rule 7.6(g) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 438 (2001), parties are to furnish you with a stipulation or designation of the contents of the record to be remanded and all necessary copies of any pleading or other matter filed to enable you to comply with the remand order.

Very truly,

Michael J. Beck  
Clerk of the Panel

By

  
Deputy Clerk

Enclosures

cc: Transferee Judge: Judge Barbara Jacobs Rothstein  
Transferor Clerk(s): Arlen B. Coyle, Debra P. Hackett, Jack L. Wagner, Loretta G. Whyte,  
Nancy Mayer-Whittington, Patricia L. Brune, Perry D. Mathis, Richard W. Wicking,  
William G. Putnicki